

REMARKS

In the Office Action issued on April 25, 2008, the Examiner:
acknowledged the filing of a Request for Continued Examination;
withdrew the finality of the previous Office action;
objected to the specification;

rejected Claims 1 through 3, 10, 11, 13, 14 and 16 under the first paragraph of 35 U.S.C. §112 as failing to comply with the written description requirement;

rejected Claims 1 through 3, 10, 11, 13, 14 and 16 under the second paragraph of 35 U.S.C. §112 for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention;

rejected Claims 1 through 3, 10, 11, 13, 14 and 16 under 35 U.S.C. §102(b) as being anticipated by Pavcnik (WO 99/62431); and

rejected Claims 1 through 3, and 16 under 35 U.S.C. §102(e) as being anticipated by Chuter et al. (United States Patent Application Publication No. 2003/0176912).

The Applicants have fully considered the Office Action and cited references and submit this Reply and Amendment in response to the Examiner's action. Reconsideration of the application for patent is requested.

Preliminary matter – Summary of telephone interview conducted on July 18, 2008

The Applicants thank the Examiner for the telephone interview conducted on July 18, 2008. During the interview, the undersigned attorney described substantial portions of the amendments made herein and the distinctions between the amended claims and the cited references to the Examiner. While no agreement was reached with respect to the claims, the Examiner's comments and insight was helpful and is greatly appreciated.

Amendments to the claims

The Applicants have herein amended independent claim 1, from which all other rejected claims depend, to delete the term "non-overlapping" and to require that the at least one of the struts defines a serpentine path and that the second and third portions comprise bends in the serpentine path. Furthermore, the Applicants have herein amended claim 1 to explain that each of the first, second, and third widths comprises a width of the at least one of the struts measured on an axis transverse to the lengthwise axis of the at least one of the struts.

These amendments to the claims are fully supported by the application as originally filed; no new matter has been introduced. Exemplary support is found in Figure 11 and paragraph [0076].

Applicants have also herein canceled claim 2. The rejections of this claim are, therefore, moot.

Objection to the specification

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner noted that "...even if the new term "non-overlapping" could be found to have original support and be definite, it would still lack clear antecedent basis from the specification."

The Applicants have herein amended independent claim 1 to delete the term "non-overlapping." Each of the remaining rejected claims depends from claim 1. Therefore, this term has been removed from all rejected claims.

The Applicants respectfully assert that this objection to the specification has been overcome and request its withdrawal.

Rejections under the first paragraph of 35 U.S.C. §112

The Examiner rejected claims 1 through 3, 10, 11, 13, 14, and 16 under the first paragraph of 35 U.S.C. §112 as failing to comply with the written description requirement. Specifically, the Examiner noted that the new term "non-

overlapping" lacks clear original support from the specification.

The Applicants have herein amended independent claim 1 to delete the term "non-overlapping." Each of the remaining rejected claims depends from claim 1. Therefore, this term has been removed from all rejected claims.

The Applicants respectfully assert that this rejection of the claims has been overcome and request its withdrawal.

Rejections under the second paragraph of 35 U.S.C. §112

The Examiner rejected claims 1 through 3, 10, 11, 13, 14, and 16 under the second paragraph of 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. Specifically, the Examiner noted that the new term "non-overlapping" is considered indefinite "...because the specification does not explain what constitutes overlapping and a non-overlapping feature with regard to the several embodiments." (April 25, 2008, Office action, p. 3).

The Applicants have herein amended independent claim 1 to delete the term "non-overlapping." Each of the remaining rejected claims depends from claim 1. Therefore, this term has been removed from all rejected claims.

The Applicants respectfully assert that this rejection of the claims has been overcome and request its withdrawal.

Rejections under 35 U.S.C. §102

Pavcnik

The Examiner rejected Claims 1 through 3, 10, 11, 13, 14, and 16 under 35 U.S.C. §102(b) as being anticipated by Pavcnik (WO 99/62431).

The Applicants have herein amended independent claim 1, from which all other rejected claims depend, to require that the at least one of the struts define a serpentine path and that the second and third

portions comprise bends in the serpentine path. Furthermore, the Applicants have herein amended claim 1 to explain that each of the first, second, and third widths comprises a width of the at least one of the struts measured on an axis transverse to the lengthwise axis of the at least one of the struts.

Pavcnik does not teach or suggest a relatively narrow first strut portion disposed between relatively wider second and third strut portions *that comprise bends in a serpentine path defined by the strut*. While Pavcnik clearly does show second and third portions that comprise overlapping portions of the wire member, it is completely devoid of any teaching that the relatively wider portions comprise bends in a serpentine path.

Accordingly, Pavcnik does not anticipate Claim 1 as amended herein because it does not teach each and every limitation of the claim. Furthermore, the reference does not anticipate any of Claims 2, 3, 10, 11, 13, 14, and 16 because each of these claims ultimately depend from Claim 1 and, as a result, include all limitations of Claim 1.

The Applicants respectfully assert that all claim rejections based on Pavcnik are overcome by the amendments made herein and request their withdrawal.

Chuter

Similarly, Chuter does not teach or suggest a relatively narrow first strut portion disposed between relatively wider second and third strut portions *that comprise bends in a serpentine path defined by the strut*.

Accordingly, Chuter does not anticipate Claim 1 as amended herein because it does not teach each and every limitation of the claim. Furthermore, the reference does not anticipate any of Claims 2, 3, 10, 11, 13, 14, and 16 because each of these claims ultimately depend from Claim 1 and, as a result, include all limitations of Claim 1.

The Applicants respectfully assert that all claim rejections based on Chuter are overcome by the amendments made herein and request their withdrawal.

CONCLUSION

The Applicants have fully responded to the objections and rejections listed by the Examiner in the April 25, 2008, Office Action. A Notice of Allowability relating to all claims currently under consideration is appropriate and respectfully requested by the Applicants.

Should the Examiner have any questions regarding this Reply and Amendment, or the remarks contained herein, the undersigned attorney would welcome the opportunity to discuss such matters with the Examiner.

Respectfully submitted,

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